

DAILY DIGEST

Vol. 18, No. 103

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**Before an entry denotes that the item is part of the FCC's implementation of the 1996 Telecom Act. While we will attempt to flag all Telecom Act-related items, this marking is unofficial and informational only.

PUBLIC NOTICES

Report No: 99. Released: May 31, 1999. INSTRUCTIONAL TV FIXED SERVICE ACTIONS.

Report No: 107. Released: May 31, 1999. INSTRUCTIONAL TV FIXED SERVICE APPLICATIONS/AMENDMENTS TENDERED FOR FILING.

Report No: 44498. Released: June 1, 1999. BROADCAST ACTIONS. Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Actions/ac990601.txt

Report No: 100. Released: June 1, 1999. INSTRUCTIONAL TV FIXED SERVICE ACTIONS.

Report No: 24498. Released: June 1, 1999. BROADCAST APPLICATIONS. Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Applications/ap990601.txt

Report No: 108. Released: June 1, 1999. INSTRUCTIONAL TV FIXED SERVICE APPLICATIONS/AMENDMENTS TENDERED FOR FILING. Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/ITFS_Notices/pnmm9097.html

Released: June 1, 1999. FEE DECISIONS OF THE MANAGING DIRECTOR AVAILABLE TO THE PUBLIC. (DA No. 99-981). Internet URL: https://www.fcc.gov/Bureaus/Miscellaneous/Public_Notices/1999/da990981.txt

Report No: 2332. Released: June 1, 1999. PETITIONS FOR RECONSIDERATION AND CLARIFICATION OF ACTION IN RULEMAKING PROCEEDINGS. Internet URL: https://www.fcc.gov/Bureaus/Miscellaneous/Public_Notices/1999/pnmc9041.wp

TEXTS

SUN VALLEY CABLEVISION, INC. Denied to the extent indicated complaints filed against Sun Valley Cablevision's cable programming service tier in Ketchum and Hailey, ID, and denied Sun Valley's petition for partial reconsideration of DA 95-879. Action by Deputy Bureau Chief. Adopted: May 27, 1999. by Order. (DA No. 99-1040). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1999/da991040.wp>

D & P CABLE. Granted complaint of Adell Broadcasting Corporation for must-carry of WADL-TV, Mt. Clemens, Michigan. Action by Chief, Consumer Protection and Competition Division. Adopted: May 28, 1999. by MO&O. (DA No. 99-1042). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1999/da991042.wp>

CABLE ONE, INC. Denied to the extent indicated a complaint filed against Cable One, Inc.'s, cable programming service tier rate in Port Lavaca, TX. Action by Acting Chief, Financial Analysis and Compliance Division. Adopted: May 28, 1999. by Order. (DA No. 99-1045). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1999/da991045.wp>

TIME WARNER CABLE. Denied complaint filed against Time Warner Cable's programming service tier rate in Oxford, NC. Action by Acting Chief, Financial Analysis and Compliance Division. Adopted: May 26, 1999. by Order. (DA No. 99-1028). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1999/da991028.wp>

CHARTER COMMUNICATIONS L.L.P. Granted complaint of American Television, Inc. for must-carry of WSTP-LL, Hammond, Louisiana. Action by Chief, Consumer Protection and Competition Division. Adopted: May 28, 1999. by MO&O. (DA No. 99-1041). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1999/da991041.wp>

TCI OF PLANO, INC. V. TEXAS UTILITIES ELECTRIC COMPANY, PA96-005. Dismissed October 25, 1996, complaint under Section 224 of the Communications Act concerning rates for cable television pole attachments. Action by Acting Chief, Financial Analysis and Compliance Division. Adopted: May 26, 1999. by Order. (DA No. 99-1020). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1999/da991020.wp>

WEST VIRGINIA CABLE TELEVISION ASSOCIATION, ET AL. V. AMERICAN ELECTRIC POWER, PA97-001. Dismissed March 13, 1997 complaint, under Section 224 of the Communications Act concerning rates for cable television pole attachments. Action by Acting Chief, Financial Analysis and Compliance Division. Adopted: May 26, 1999. by Order. (DA No. 99-1019). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1999/da991019.wp>

STATE OF ARIZONA DEPARTMENT OF PUBLIC SAFETY. Granted the State of Arizona's Department of Public Safety's request that the Private Wireless Division (now the Public Safety and Private Wireless Division) of the Wireless Telecommunications Bureau reconsider the imposition of a secondary status condition on the authorization for Stations KHI60 and KEX38 operating on 2196 and 2146 MHz, respectively. Issued the license with primary status. Action by Chief, Public Safety and Private Wireless Division. Adopted: May 28, 1999. by Order on Recon. (DA No. 99-917). WTB Internet URL: <https://www.fcc.gov/Bureaus/Wireless/Orders/1999/da990917.wp>

ADDENDA: The following items, released May 28, 1999, did not appear in Digest No. 102:

NEWS RELEASES

INTERNATIONAL BUREAU APPROVES TRANSFER OF CONTROL TO DIRECTV OF TEMPO'S DBS AUTHORIZATIONS (REPORT NO. IN 99-21). The International Bureau granted the application of Tempo Satellite, Inc. and DirecTV Enterprises, Inc. for consent to assign Tempo's direct broadcast satellite authorization at the 119 degrees W.L. orbital location to DirecTV. Action by the Acting Chief, International Bureau, May 28, 1999, by Order and Authorization (DA 99-1043).. IB Contact: News Media: Rosemary Kimball or Maureen Peratino at (202) 418-0500; IB: Howard Griboff at (202) 418-0657 and Robert Kieschnick at (202) 418-0733. Internet URL: https://www.fcc.gov/Bureaus/International/News_Releases/1999/nrin9020.wp

HOWARD A. SHELANSKI NAMED FCC CHIEF ECONOMIST. News Media Contact: Maureen Peratino (202) 418-0500. OPP. Internet URL: https://www.fcc.gov/Bureaus/Miscellaneous/News_Releases/1999/nrmc9036.wp

PUBLIC NOTICES

Report No: D-1046-1. Released: May 28, 1999. MASS MEDIA BUREAU, IN COORDINATION WITH THE CABLE SERVICES BUREAU RE: APPLICATIONS ACCEPTED FOR FILING. Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/MDS_Notices/pnmm9041.wp

Report No: D-1046-2. Released: May 28, 1999. MASS MEDIA BUREAU, IN COORDINATION WITH THE CABLE SERVICES BUREAU RE: APPLICATIONS ACCEPTED FOR FILING. Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/MDS_Notices/pnmm9042.wp

Report No: D-1046-3. Released: May 28, 1999. MASS MEDIA BUREAU, IN COORDINATION WITH THE CABLE SERVICES BUREAU AND THE WIRELESS TELECOMMUNICATIONS BUREAU RE: APPLICATIONS ACCEPTED FOR FILING. Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/MDS_Notices/pnmm9043.wp

Released: May 28, 1999. BELL ATLANTIC PETITIONS FOR ESTABLISHMENT OF NEW RATE ELEMENTS TO PROVIDE SWITCHED ACCESS FACILITIES MANAGEMENT SERVICE - PLEADING CYCLE ESTABLISHED. On May 24, 1999, Bell Atlantic filed a petition to initiate switched access facilities management service. Comments due June 28; replies July 13. (DA No. 99-1032). Contact: Jennifer McKee, Competitive Pricing Division at (202) 418-1520; TTY (202) 418-0484.. Internet URL: https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/1999/da991032.wp

Report No: 357. Released: May 28, 1999. MASS MEDIA BUREAU CALL SIGN ACTIONS. Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Call_Sign_Changes/pnmm9089.wp

Released: May 28, 1999. EX PARTE PRESENTATIONS AND POST-REPLY COMMENT PERIOD FILINGS IN PERMIT-BUT-DISCLOSE PROCEEDINGS. Contact: Barbara Lowe, Office of the Secretary at (202) 418-0310.. Internet URL: https://www.fcc.gov/Bureaus/Miscellaneous/Public_Notices/Exparte/1999/ex990528.html

Released: May 28, 1999. GEOTEK COMMUNICATIONS INC. SEEKS FCC CONSENT TO ASSIGN 900 MHZ SMR LICENSES. On March 5, 1999, Geotek Communications, Inc., Debtor in Possession (Geotek), filed applications pursuant to Section 310(d) of the Communications Act of 1934, as amended, seeking Commission consent to assign its 900 MHz SMR licenses to its creditors, Hughes Electronics Corporation and Wilmington Trust Company, as the first step in a two-step transaction. Comments or petitions to deny due June 28; oppositions to such pleadings due July 8; replies to such oppositions due July 15. (DA No. 99-1027). Contact: Pieter van Leeuwen, Paul D'Ari, Commercial Wireless Division at (202) 418-0620 or Terry Fishel, Commercial Wireless Division (Gettysburg) at (717) 338-2602.. Internet URL: https://www.fcc.gov/Bureaus/Wireless/Public_Notices/1999/da991027.wp

Released: May 28, 1999. WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON REQUEST FOR WAIVER BY BOROUGH OF SAYREVILLE, NEW JERSEY TO PERMIT THE USE OF CERTAIN PUBLIC LAND MOBILE RADIO SERVICE CHANNELS. On October 28, 1998, the Borough of Sayreville, New Jersey, filed a Petition for Waiver of any and all applicable provisions of part 22 and 90 of the Commission's Rules in order to permit it to use certain UHF frequencies in the Public Land Mobil Radio Service. Comments due June 28; replies July 13. (DA No. 99-1035). Contact: Maurice J. DePont, Policy and rules Branch of the Public Safety and Private Wireless Division at (202) 418-0690.. Internet URL: https://www.fcc.gov/Bureaus/Wireless/Public_Notices/1999/da991035.wp

Released: May 28, 1999. WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON REQUEST FOR WAIVER BY BURLINGTON COUNTY, NEW JERSEY, TO OBTAIN A LICENSE FOR THIRTY FREQUENCIES ALLOCATED FOR PAGING CONTROL OPERATIONS (500 MHZ). On November 6, 1998, the County of Burlington, New Jersey filed applications and a Request for Waiver of Section 22.621 of the Commission's Rules requesting a waiver to permit it to use 30 frequencies for public safety purposes that are now allocated for point-to-multipoint paging control operation in the Philadelphia area. Comments due June 28;

replies July 13. (DA No. 99-1039). Contact: John Fernandez, Policy and Rules Branch of the Public Safety and Private Wireless Division at (202) 418-0680.

TEXTS

ERRATUM - TRUTH-IN-BILLING AND BILLING FORMAT. Corrected the Errata issued May 24, 1999. Dkt No.: CC- 98-170. Action by Deputy Bureau Chief. by Erratum. CCB Internet URL: https://www.fcc.gov/Bureaus/Common_Carrier/Orders/1999/err99072.wp

FEDERAL-STATE JOINT BOARD ON UNIVERSAL SERVICE. Took steps to ensure that additional universal service support will be available to eligible schools and libraries, particularly those in rural America, during the second funding year of the support mechanism. Dkt No.: CC- 96-45. Action by the Commission. Adopted: May 27, 1999. by 12th Order on Rec. (FCC No. 99-121). CCB Internet URL: https://www.fcc.gov/Bureaus/Common_Carrier/Orders/1999/fcc99121.pdf

****FEDERAL-STATE JOINT BOARD ON UNIVERSAL SERVICE - ACCESS CHARGE REFORM.** Took a major step in reforming the high-cost universal service support mechanism for non-rural carriers. Issued FNPRM on the model input and operational issues and another FNPRM seeking comment on several specific implementation issues. Comments due July 2; replies July 16. By 7th R&O, 13th Order on Recon in CC Docket No. 96-45, 4th R&O in CC Docket No. 96-262, and FNPRM. Dkt No.: CC- 96-45, CC- 96-262. Action by the Commission. Adopted: May 27, 1999. by 2nd R&O & FNPRM. (FCC No. 99-119). CCB Internet URL: https://www.fcc.gov/Bureaus/Common_Carrier/Orders/1999/fcc99119.wp

FEDERAL-STATE JOINT BOARD ON UNIVERSAL SERVICE - ****FORWARD-LOOKING MECHANISM FOR HIGH COST SUPPORT FOR NON-RURAL LECS.** Took a major step in reforming the high-cost universal service support mechanism for non-rural carriers. Issued FNPRM proposing input values for the model, such as the cost of cables, switches and other network components, in addition to various capital cost parameters. Sought to supplement the record regarding certain inputs to the model. Comments due July 2; replies July 16. Dkt No.: CC- 96-45, CC- 97-160. Action by the Commission. Adopted: May 27, 1999. by FNPRM. (FCC No. 99-120). CCB Internet URL: https://www.fcc.gov/Bureaus/Common_Carrier/Notices/1999/fcc99120.wp

CHANGES TO THE BOARD OF DIRECTORS OF THE NATIONAL EXCHANGE CARRIER ASSOCIATION, INC. - FEDERAL-STATE JOINT BOARD ON UNIVERSAL SERVICE. Clarified certain portions of the Commission's funding priority rules for the schools and libraries universal service support mechanism to remove any ambiguity that may exist in the application of such rules. Reconsidered on its own motion the Commission's rule that prohibits the disbursement of funds during the pendency of an appeal of a decision issued by the Administrator. Proposed a method for allocating funds in the event that the Administrator's initial denial of a request for support is reversed by the Administrator of the Commission or in the event that sufficient funds are not available for all priority one service appeals. Comments due June 30. By 5th Ord. on Recon. in CC Docket No. 97-21; 11th Ord. On Recon. in CC Docket No. 96-45 and FNPRM. Dkt No.: CC- 97-21, CC- 96-45. Action by the Commission. Adopted: March 18, 1999. (FCC No. 99-49). CCB Internet URL: https://www.fcc.gov/Bureaus/Common_Carrier/Orders/1999/fcc99049.wp

IMPLEMENTATION OF THE SUBSCRIBER CARRIER SECTION CHANGES PROVISIONS OF THE TELECOMMUNICATIONS ACT OF 1996 - ONE CALL COMMUNICATIONS, INC. D/B/A OPTICOM PETITION FOR WAIVER. Granted One Call Communications, Inc. d/b/a Opticom a limited waiver of the authorization and verification requirements of the Commission's rules and Carrier Change Orders to enable One Call to change the preferred carrier of payphone aggregators whose payphones are currently presubscribed to American Network Exchange, Inc. d/b/a Amnex from Amnex to One Call. Dkt No.: CC- 94-129. Action by Deputy Bureau Chief. Adopted: May 28, 1999. by Order. (DA No. 99-1033). CCB Internet URL: https://www.fcc.gov/Bureaus/Common_Carrier/Orders/1999/da991033.wp

CABLEVISION SYSTEMS CORP - WXTV LICENSE PARTNERSHIP, G.P. Action taken on Cablevision's Petition for Partial Stay Pending Reconsideration. Action by Deputy Bureau Chief. Adopted: May 27, 1999. by Stay Order. (DA No. 99-1031). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1999/da991031.wp>

GLOBECAST NORTH AMERICA INCORPORATED. Granted Loral Space & Communications Ltd. Request for Extension of Time and extended the deadline from May 28, 1999 to June 14, 1999 for filing comments on the application by GlobeCast North America Incorporated re: modification of its existing 9.2-meter Ku-band fixed earth stations at Staten Island, NY to add EUTELSAT I-F5 at 12.5 degrees W.L. Action by Chief, Satellite and Radiocommunication Division. Adopted: May 28, 1999. by Order. (DA No. 99-1047). IB Internet URL: <https://www.fcc.gov/Bureaus/International/Orders/1999/da991047.wp>

TEMPO SATELLITE, INC., ASSIGNOR AND DIRECTOR ENTERPRISES, INC., ASSIGNEE. Granted, with conditions, Tempo Satellite, Inc. authority to assign its authorization to construct, launch and operate a direct broadcast satellite system using 11 frequency channels at the 119 degrees orbital location to DirecTV Engerprises, Inc. Action by Acting Bureau Chief. Adopted: May 28, 1999. by Ord. and Auth. (DA No. 99-1043). IB Internet URL: <https://www.fcc.gov/Bureaus/International/Orders/1999/da991043.wp>

SATELLITE RADIO APPLICATIONS FOR EARTH STATIONS TO OPERATE WITH INTELSAT SATELLITES TRANSFERRED TO NEW SKIES SATELLITES N.V. Extended until June 30, 1999 Commission's November 30, 1998 grants of Special Temporary Authority to over 90 earth stations operating with the satellites that transferred from INTELSAT to New Skies Satellites, N.V. Action by Chief, Satellite and Radiocommunication Division. Adopted: May 28, 1999. by Order. (DA No. 99-1012). IB

TOMON, GUAM. Effective July 14, amended the FM Table to allot Channel 282A at Tumon, Guam, as the community's first local aural transmission service. Terminated proceeding. Dkt No.: MM- 98-113. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: May 19, 1999. by R&O. (DA No. 99-1030). MMB Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Orders/1999/da991030.wp

CORDELE, HAWKINSVILLE, AND MONTEZUMA, GA. Proposed amending FM Table to: (1) substitute Channel 236C3 for channel 252A at Cordele, GA and modify Station WKKN's licene accordingly; (2) substitute Channel 280C3 for Channel 236A at Montezuma and modfy Broadcast Equities construction permit accordingly; and (3) substitute Channel 252C3 for Channel 280C3 at Hawkinsville and modify Station WQSY's license accordingly. Comments due July 19; replies August 3. Dkt No.: MM- 99-199. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: May 19, 1999. by NPRM. (DA No. 99-1002). MMB Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Notices/1999/da991002.wp

VARIOUS CITIES IN NORTH DAKOTA, NEW YORK AND OREGON. Effective July 12, amended FM Table to allot various broadcast Channels in North Dakota, New York and Oregon. MM Dockets 99-4, 99-5, 99-7, 99-37 through 99-41. Proceedings terminated. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: May 19, 1999. by R&O. (DA No. 99-1000). MMB Contact: Leslie K. Shapiro at (202) 418-2180. Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Orders/1999/da991000.wp

JAMES CASSELL ET AL. Denied applications for review of decisions made by the Wireless Telecommunications Bureau which rejected petitions for reconsideration of the denial of finder's preference requests by the petitioners. Action by the Commission. Adopted: May 21, 1999. by MO&O. (FCC No. 99-117). WTB Internet URL: <https://www.fcc.gov/Bureaus/Wireless/Orders/1999/fcc99117.wp>

SKYTEL COMMUNICATIONS, INC. Waived section 24.129(a) of the Commission's rules as it applies to SkyTel to allow for the exchange of the 930.50-930.55 MHz band for the 940.75-940.80 MHz band. Action by Chief, Commercial Wireless Division. Adopted: May 28, 1999. by Order. (DA No. 99-1034). WTB Internet URL: <https://www.fcc.gov/Bureaus/Wireless/Orders/1999/da991034.wp>

